

Applicant No.: 10/776,176

Reply to Office action of March 2, 2007 and August 8, 2007

REMARKS/ARGUMENTS

Regarding extensions of time, two one-month extensions of time have been requested previously, while a two-months extension of time is required. Attached, a two-months extension of time is requested, with a payment of 225\$ (for two months of extension of time) minus already paid 120\$ (for twice one month of extension of time) = 105\$ due.

The Examiner has rejected many amendments made by the applicant in the previous response to an office action. The applicant believes that the current amendment removes all matter previously submitted that could be considered as new matter in the drawings, specification and claims.

It is believed that the amended claims are allowable as none of the references cited by the examiner describes a transfer casing located substantially adjacent to a dilution treatment chamber, the transfer casing defining a transfer chamber provided for receiving a second particle group; at least one transfer aperture substantially laterally positioned with respect to the passageway, the transfer aperture extending between the transfer chamber and the passageway and allowing fluid communication therebetween; and at least one fluid flow aperture provided in the dilution treatment chamber for creating a substantially horizontal fluid flow in the passageway, the at least one fluid flow aperture and the transfer aperture being substantially horizontally aligned relatively to each other and located substantially opposed to each other relatively to the passageway, the fluid flow aperture being connectable to the positive pressure source to create the fluid flow, as claimed in claim 62.

To the contrary Eaches describes a fan that is vertically offset relatively to an aperture through which material is transferred. Also, Eaches does not describe a transfer casing as claimed. Parkinson, Hukki and Winkler each describe a device including a single chamber, not a dilution treatment chamber substantially adjacent a dilution treatment chamber.

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Furthermore, none of these references describes nozzles that are movable to allow a variation in a distance between a fluid flow aperture and a transfer aperture, as claimed in claim 79, or a dilution treatment chamber having a variable cross-sectional area, as claimed in claim 78.

Regarding the method claims, none of the devices described in the references cite by the Examiner operate by:

- vertically diluting a particle stream by directing the particle stream into a falling condition within a passageway and accelerating the particle stream under the action of gravity;
- horizontally diluting the particle stream by distributing the particle stream by subjecting the particle stream to high pressure fluid flow creating lateral forces so as to distribute the particle stream over a surface area of the passageway; and
- projecting a particle group away from a remainder of the particle stream by creating a fluid flow of predetermined magnitude across the particle stream in said falling condition

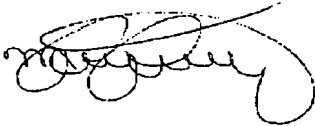
as claimed in claim 73. To the contrary, in all the references cited by the Examiner, particles are separated directly, without a step of distributing the particle stream by subjecting the particle stream to high pressure fluid flow prior to a separation step.

It is now believed that the application is now in order for Allowance and such an allowance would be appreciated.

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RESPECTFULLY SUBMITTED .

A handwritten signature in black ink, appearing to read 'MICHEL COUTURE', with a stylized flourish at the end.

MICHEL COUTURE, Applicant

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Amendments to the Drawings:

Please withdraw the amendments to the drawings made in the previous amendment